

**Mary Kenning, Ph.D.**  
**1409 Willow Street**  
**Suite 310**  
**Minneapolis, MN 55419**

Phone: 612.870.4851

Fax: 612.869.8872

November 6, 2006

Mr. Thomas Shiah  
247 Third Avenue South  
Minneapolis, MN 55415

**Re:** Bruce Betcher

**DOB:**

Criminal No.05-335 (JMR/FLN)

#### **REFERRAL INFORMATION**

Bruce was referred for evaluation by his attorney. He is currently incarcerated after being charged with 24 counts of Production of Child Pornography, one count of Possession of Child Pornography, and one count of Receipt of Child Pornography. He is alleged to have manufactured child pornography in 2004 showing his two young granddaughters and three of their peers. It is also alleged that he transported or mailed these images across state lines and received others. He was found in possession of child pornography as well.

#### **INFORMED CONSENT**

Bruce was informed of the nature and purpose of the evaluation at its outset. He was told the limits of confidentiality, including the need to report previously unreported child abuse, abuse of a vulnerable adult, serious suicidal ideation, or threats to a potential victim. He was notified that the information he provided could be used in a written report to the court or in testimony. He was informed that he could terminate the evaluation at any time or refuse to answer questions. He was told that the information process is independent and not designed to promote a particular point of view.

Bruce Warren Betcher

2

November 6, 2006

## **SOURCES OF INFORMATION**

Bruce was interviewed at the Sherburne County Jail on 9/28/06 and 10/4/06. The following documents were reviewed: Presentence Investigation, dated 6/22/06; and Third Superseding Indictment, undated copy.

## **BEHAVIORAL OBSERVATIONS**

Bruce was dressed in jail scrubs during the interview. His hygiene and grooming appeared to be adequate. His hair was long and he wore a beard, moustache, and glasses. He appears older than his chronological age. His eye contact, body posture, and voice volume and tone were appropriate. He was cooperative in answering questions. His speech was clear and logical. His mood was dysphoric and he offered somewhat cynical comments about the likelihood that any evaluation could be helpful to him.

## **SOCIAL HISTORY**

According to Bruce, he was born in Memphis, TN and was raised in Maryland by his mother, Laura Betcher. He is the youngest of his parents' three children. He reported that when he was a baby his father, Neil Betcher, was sent to prison for five years. His mother was unable to care for all three children and as a result, the older two children were placed with the paternal grandparents in Rochester, MN. On his father's release, he collected the two children from his parents and moved to California. There he remarried and had two more daughters. Bruce remained in his mother's care and had no contact with his father or siblings. He reported that he was placed in foster care as an early elementary school student when his mother suffered an injury. He described being physically abused in this setting. He returned to his mother, who was a "bar maid" and moved with her a number of times in small towns in Maryland. He explained that he remembers very little of his childhood and reported largely what others have told him.

Bruce indicated that his mother had no rules for his behavior and was often absent due to her work hours. As a result he was often alone in the evening even as an elementary school student. He indicated that his relationship with his mother did not involve conflict and characterized them as getting along "really well." However he also described himself as a needy child who often sought attention from others and criticized his mother. For example, he indicated that as an elementary school student he told peers that his mother was "a whore." He also reported that as an adolescent, his mother threatened to spank him with a belt. He cut up the belt, flushed it in the toilet, and told her never to threaten him again. He noted that after this incident she was probably afraid of him. Bruce indicated that his mother passed away in 1974. According to his probation report, Bruce's mother remarried when he was an adolescent. His stepfather was reportedly an alcoholic.

Bruce reported that as at about age 13 he lived with his father for a year after he requested information from his mother about his father and siblings. He indicated that in contrast to his mother, his father had many household rules and used physical discipline

Bruce Warren Betcher

3

November 6, 2006

to enforce them. He explained that he had no real relationship with his father and returned to his mother's home where there were fewer limits. He left for the Marines at age 17. His father passed away in 1986.

Bruce explained that he lived with Debbie Caplan for about five years. He described the relationship as highly conflicted, leading him to move to MN to live with his brother in 1978 in order to escape it. Ms. Caplan followed him with their two children, Christopher and Laura. The couple reconciled two to three times. After they separated permanently Bruce had no contact with his children and did not pay child support.

In 1979 Bruce married Lorelie Robbins, who he characterized as "a drinking buddy." About a year later she left him after discovering she was pregnant and becoming sober. According to his records, they were divorced in 1981. He had visits with their daughter, Raeanna, until she was age 2. He admitted that these were terminated due to his neglectful and inattentive behavior during visits. He had no contact with his daughter until she was about age 10. He did not pay child support.

Bruce reported that he married Darlene Tanzer in 1990. She worked in juvenile court in Hennepin County. She had no children before the marriage and they have had no children together. He explained that in about 1996 the boyfriend of his daughter Laura called him from their home in Indiana. He and Darlene went there to visit Laura, her boyfriend, and their children. Laura and her children later moved to MN. Bruce reported that he became concerned about the state of his daughter's home and her ability to care for the children. In 1997 he and Darlene were granted custody of his three grandchildren. His daughter later had three sons who had no contact with him or their half siblings in Bruce and Darlene's care. After the current charges, Darlene divorced Bruce and has reportedly maintained custody of her stepgrandchildren, now ages 13, 11, and 10. His records show he and Darlene were divorced on December 6, 2005.

## **CHEMICAL HEALTH HISTORY**

Bruce reported that he began to use alcohol before age 12 and used regularly on weekends beginning at about age 14. He explained that he was able to steal alcohol while working with his mother at her job. He suggested that he was addicted by age 15. He was also huffing airplane glue and smoking marijuana around this time. He indicated that at age 17 he began using street drugs while in the Marines. He became addicted to heroin. He indicated he quit using heroin in 1973 but returned to alcohol abuse. He suggested that he used alcohol daily for 13 years and was at times homeless. He also used cocaine during this period and preferred to inject it. He explained that he "liked using a needle." He estimated that he attended seven to fourteen CD treatments but became sober after treatment at the Metropolitan Medical Center in September 1986. He explained that before this program he was suicidal, suffering from alcohol induced seizures, and fearful of dying. He insisted that he has had no relapses since that time. He denied that either of his parents had alcohol or drug problems.

Bruce Warren Betcher

4

November 6, 2006

## **SCHOOL AND EMPLOYMENT HISTORY**

According to Bruce he was often "in trouble" at school and was repeatedly spanked. He suggested he might have struck a principal during a spanking. He admitted talking back as a child and suggested that he might have been diagnosed with ADHD as well as undergoing shock treatments. He explained that his recollection of his childhood is vague and he is uncertain what treatment he may have had. He was reportedly expelled from school in the seventh grade and attended a military academy for a year as a result. The military school used corporal punishment as discipline. He quit school in the tenth grade in order to enlist in the Marines. He received a less than honorable discharge after 18 months as a result of his heroin use. His records indicate his dates of service were January 21, 1971 to June 2, 1973. He later worked in construction, roofing, printing, and various other occupations for several years. He denied being unemployed even when his alcohol use was extensive but he admitted sometimes drank on the job.

After his sobriety in 1986 Bruce returned to school and reportedly obtained his GED. He received a certificate in chemical dependency at Minneapolis Community and Technical College in 1989. He reportedly then worked for Fairview Ridges as a CD counselor from 1990 to 1993 and at Resource Recovery Center from 1993 to 1995. He explained that he left the CD field because he began to feel the primary concern had become money rather than clients. He then reportedly attended trucking school, worked as a trucker, and stayed at home to parent his grandchildren before starting to work as a real estate appraiser in 1997. He maintained his own appraisal company from 2004 until 2005 when he was arrested on the current charges.

According to his records, Bruce was employed as a truck driver by Gainey Transportation from October 28, 1996 to February 7, 1997. He worked at Recovery Resource Center from June 17, 1991 to June 21, 1995. He was self employed as an appraisal associate with Appraiser Associates of Eagan from 1997 to 2004. He purchased the business in 2004.

## **MEDICAL HISTORY**

Bruce reported no history of significant medical problems. His records indicate he has been treated for Hepatitis C at Sherburne County Jail.

## **MENTAL HEALTH HISTORY**

Bruce denied any past mental health treatment. He reported that since his incarceration he has taken an antidepressant, amitriptyline. He described himself as having an "addictive personality" and noted that he has been "addicted" to work, alcohol, and gambling in the past. He noted that in 2005 he won over \$250,000 gambling although he reported going to casinos intermittently on weekends.

Bruce Warren Betcher

5

November 6, 2006

## **PAST CONTACTS WITH THE COURTS**

Bruce denied any juvenile delinquency history. He indicated he had three DWI charges in the past. His presentence investigation report shows these occurred in 1980, 1981, and 1982. He was apparently sentenced to two years of probation on the 1982 offense. He reported no other criminal charges and no others are noted in his records.

## **SEXUAL HISTORY**

Bruce reported that he was exposed to pornography as a child and adolescent. He indicated that he looked at it "most of (his) adult life" until his second marriage in 1990. He explained that he also attended strip clubs frequently prior to 1990. He estimated that since 1990, he went to such clubs about five times. He noted that he had over 35 sexual partners, although his only partner after 1990 was his wife. He reported that he was unfaithful to all of his former partners except her. He noted that during a brief period in his young adulthood he had "30 partners in 30 days."

Bruce reported that he started using pornography on the computer in 2003 after a friend told him about a free website where it was available. He admitted that he then started viewing child pornography daily on the internet and continued to do so over the next year. He explained that he was able to do this without his wife's knowledge because he often slept very little and was on the computer while she was asleep. He admitted this was "a problem" but pointed out that his habits were not the fault of his wife or others. He indicated he now deeply regrets his behavior. He was adamant that he had no direct sexual contact with any child.

## **TEST RESULTS AND INTERPRETATION**

The Minnesota Multiphasic Personality Inventory (MMPI-2) is an objective self-report measure of the test taker's usual or characteristic style. Responses are compared to norms for various diagnostic groups. The MMPI-2 is designed to look for psychopathology and character problems, and does not present a balanced picture of the test taker's strengths and weaknesses.

Bruce appears to have approached the MMPI-2 in an open and cooperative manner, producing a valid profile. He showed significant elevations on five clinical scales. These suggest current problems with depression and alienation from others, including his family. He appears to be unhappy and uncomfortable at present, with low energy and a pessimistic outlook. Part of his depression seems to stem from guilt or remorse for past deeds as well as overly optimistic views of others. He is likely to view any comparison between himself and others as unflattering. Even though he showed a belief in his own high moral standards, he also expressed resentment toward social convention. He seems to have limited achievement motivation and is likely to have little current capacity to experience joy and positive engagement. He is likely to avoid groups and to be withdrawn in



Bruce Warren Betcher

6

November 6, 2006

social situations. His current mood problems are likely the result of his current legal situation and incarceration.

Bruce's records and interview data were used to score the Hare Psychopathy Checklist-Revised Screening Version (PCL-R:SV). This is a 12 item scale for assessment of psychopathy in clinical, research, and forensic settings. Understanding the concept of psychopathy is important in assessing dangerousness for violent and nonviolent offenses. Total and part scores are compared with norms for male forensic and prison populations. In the past 15 years, this measure and its counterpart, the Hare Psychopathy Checklist-Revised (PCL-R), have been termed "the standard of practice" in the literature on the assessment of dangerousness.

On the PCL:SV, Bruce received a total score of 9. This score falls below the cutoff score of 12 and is not indicative of psychopathy. His Part 1 score is 9 (percentile=49.7 Male Offender Non Psychiatric norms) and his Part 2 score is 3 (percentile= 6.7 Male Offender norms). Part 1 refers to the extent to which an offender exhibits selfishness, callousness, and remorseless use of others. Part 2 refers to social deviance in terms of behavior and life style. His Part 1 score is about average in comparison to male prison inmates, while his Part 2 score is low when compared to this group. This suggests that Bruce does not have the overall constellation of psychopathy symptoms that are associated with long term risk of recidivism and violence.

## **RISK ASSESSMENT**

Information from Bruce's interview and records was used to score the Static 99 and the Sex Offender Risk Appraisal Guide (SORAG). These measures are actuarial risk scales and are objectively scored. They provide an estimate of risk based on empirically derived factors shown to predict recidivism. Both measures have good predictive validity and have been cross validated in samples of sex offenders other than those of their respective authors. Both measures are widely accepted in the evaluation of sex offenders, including in the assessment of sex offenders for indefinite civil commitment.

The Static-99, a measure designed by Hanson and Thornton (1999), uses 10 easily scored historical or static items (Appendix A) that measure variables associated with sexual deviance and general criminality. This measure has been termed by Doren (2002) as the "best single instrument" for use in the prediction of sex offense recidivism. On this measure, Bruce received a score of 2, which falls in the medium-low risk category for sexual reoffense. This measure has four categories of risk: low, medium-low, medium high, and high. In the standardization sample for this measure, 9% of the sex offenders with scores of 2

Bruce Warren Betcher

7

November 6, 2006

were convicted of sexual reoffenses after 5 years. Sixteen percent were convicted of sexual reoffenses after 15 years. Seventeen percent had new convictions for violent offenses after 5 years, rising to 30% after 15 years. Bruce was given a point for a non contact sexual offense conviction due to his admission of using child pornography and his current charges even though he does not meet the criteria for a conviction per se.

The Sex Offender Risk Appraisal Guide (SORAG) (Appendix B) was devised by Quinsey (1998) to measure risk of violent as well as sexual recidivism using empirically established and reliable factors. Bruce's total score, which includes an estimated rating based on his PCL-SV score, was -3. This score falls in Category 2, which indicates a 15% probability of sexual offense recidivism over a 7 year period and a 12% probability over a 10 year period. On this measure, scores are divided into 9 categories, labeled 1 to 9. Bruce's score falls in the next to lowest category of risk.

## DIAGNOSIS

Axis I	Alcohol Dependence, in sustained remission Adjustment Disorder with Depressed Mood R/O Dysthymic Disorder Paraphilia NOS Child Pornography
Axis II	Antisocial Personality Disorder
Axis III	None reported
Axis IV	Problems in Primary Support Group, Legal Problems
Axis V	GAF 55

## SUMMARY AND RECOMMENDATIONS

Bruce is a 50 year old man with a history of parental rejection, child neglect, and intermittent physical abuse. As an adolescent he exhibited conduct disordered behavior and chemical dependency. As an adult, his pattern of chemical dependency continued until he became fearful that continued use might result in his death. He indicated he maintained employment during this time and does not have criminal convictions other than one DWI from 1982. By his account he has been sober for the past 20 years and changed his life in many important ways. He was in a stable marriage with adequate and consistent employment for 13 years prior to the current alleged offenses. He and his wife were determined to be acceptable guardians for their grandchildren.

On the advice of his attorney, Bruce did not discuss the majority of the current allegations during this evaluation. He admitted a lifelong history of adult pornography

Bruce Warren Betcher

8

November 6, 2006

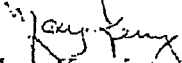
use before his recent marriage. He explained that he returned to looking at pornography in 2003, hiding his interest from his wife. He admitted that he became focused on child pornography that year but indicated he stopped using it in 2005 because he was aware that it was wrong. He has expressed interest in sex offender treatment but is aware that with his potentially lengthy sentence, he may not be referred to a treatment program for many years.

At present, Bruce appears to be clinically depressed despite the use of antidepressants. He seems pessimistic and prone to isolate himself from others. He appears to be experiencing remorse for his behavior and sadness over his isolation from his family. There is some indication that he has engaged in suicidal ideation. This will require monitoring throughout the court process and after sentencing.

According to actuarial risk measures, Bruce is at low to low moderate risk to reoffend. He does not appear to be sociopathic, a factor strongly associated with risk of recidivism. He has a pattern of deviant arousal to child pornography, but this appears to have emerged later in his life and according to the current charges, has not involved contact offenses. A recent research article on child pornography offenders indicated that the overall risk of a sexual contact reoffense was low. Those most at risk were men with criminal histories and those who had committed prior contact offenses. Bruce appears then to be at relatively low risk to commit a sexual contact offense. There has been little empirical research on the likelihood of recidivation with non contact offenses.

Bruce expressed attitudes consistent with those often seen in adults beginning sex offender treatment. That is, he is able to take responsibility for his inappropriate actions but does not appear to fully grasp the implications of his behavior for others. Consistent with his history, he appears to have limited empathy for others, particularly children. Although this is of concern relative to his risk of reoffense, it is a common feature among sex offenders and therefore is routinely addressed in sex offender treatment. Bruce appears to have sufficient intellectual ability to benefit from treatment. He has no current chemical dependency or health problems that are likely to impede his treatment progress.

Please contact me if I can answer any questions about this report.

  
Mary Kenning, Ph.D.  
Licensed Psychologist



Bruce Warren Betcher

9

November 6, 2006

Appendix A

STATIC-99

RISK FACTOR	CODES		SCORE	
	Charges	Convictions		
Prior Sex Offenses	None	None	0	(0)
	1-2	1	1	
	3-5	2-3	2	
	6+	4+	3	
Prior Sentencing Dates	3 or less		0	(0)
	4 or more		1	
Any convictions for non-contact offenses	No		0	
	Yes		1	(1)
Index non sexual violence	No		0	(0)
	Yes		1	
Prior non sexual violence	No		0	(0)
	Yes		1	
Any unrelated victims	No		0	
	Yes		1	(1)
Any stranger victims	No		0	(0)
	Yes		1	
Any male victims	No		0	(0)
	Yes		1	
Young	Age 25 or older		0	(0)
	Age 18 to 24.99		1	
Single	Ever lived with a lover for at Least 2 years?			
	Yes		0	(0)
	No		1	
TOTAL SCORE			2	

Bruce Warren Betcher

10

November 6, 2006

Appendix B SORAG

1. Lived with both biological parents to age 16  
Yes =-2 No= +3 3
2. Elementary School Maladjustment  
No problems -1  
Slight or moderate problems +2 2  
Severe problems +3
3. History of alcohol problems  
One point for each of the following factors: parental alcoholism, teenage alcohol problems, adult alcohol problems, alcohol involved in a prior offense, alcohol involved in the index offense.  
0 -1  
1 or 2 0  
3 1  
4 or 5 2
4. Marital Status  
Ever married or cohabitated for at least 6 months -2  
Never married +1 -2
5. Criminal History Score for Non Violent Offenses  
Score 0=-2 0  
Score 1 or 2=0  
Score 3 or more=+3
6. Criminal History Score for Violent Offenses  
Score 0=-2 -2  
Score 1 or 2=0  
Score 3 or more=+6
7. Number of Previous Convictions for Sexual Offenses (contact sex offenses prior to the index offense)  
Score 0=-1 -1  
Score 1 or 2=1  
Score 3 or more=+5
8. History of sex offenses only against girls under age 14  
Yes =0, No=4 0
9. Failure on prior conditional release  
No= 0, Yes =+3 0

Bruce Warren Betcher

11

November 6, 2006

10. Age at index offense

>39=-5	-5
34-38=-2	
28-33=-1	
27=0	
<27=2	

11. Meets DSM-III criteria for any personality disorder

No=-2 Yes=+3	3
--------------	---

12. Meets DSM-III criteria for schizophrenia

Yes=-3 No=+1	1
--------------	---

13. Phallometric test results

All indicate nondeviant sexual preferences	-1	
Any test indicates deviant sexual preferences	+1	1

14. Psychopathy Checklist Score

<4=-5	
5-9=-3	
10-14=-1	-1
15-24=0	
25-34=4	
35+=+12	

Total

-3